

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK----- X
UNITED STATES OF AMERICA,

-against-

NORMAN SEABROOK,

Defendant.
----- X**ORDER REGULATING
PROCEEDINGS**

16 Cr. 467 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

The government's motion to seal its report to the Court, responding on May 20, 2020 to the sealed order of the Court dated May 15, 2020, is granted to avoid interference with the government's ongoing investigation¹ of Jona Rechnitz, except as follows. Assistant United States Attorney Martin Bell represents in said report, after inquiry, that the government's investigation of Rechnitz and others has produced no information of crimes or frauds by Rechnitz occurring in November 2018 or earlier. AUSA Bell comments that the allegations in the civil complaints cited by counsel for Seabrook describe conduct of Rechnitz post-dating November 2018, and he represents that there does not appear to be anything that the FBI has learned that would be the basis for an allegation that Rechnitz engaged in fraud or any other criminal activity in November 2018 or earlier.

AUSA Bell has agreed, and it is ordered, that the government "will provide a further update to the Court if relevant information becomes known." Sealed Government Letter (May 15, 2020).

The Court will hear argument of Seabrook's motion for a new trial on June 11, 2020, at 11:00 a.m., via teleconference, which may be accessed through the following number:

Call-in number: 888-363-4749
Access code: 7518680

To ensure that the hearing proceeds smoothly and to avoid disruption, the Court directs all those calling in (other than counsel) to mute their telephones.

¹ See, e.g., *United States v. Amodio*, 71 F.3d 1044, 1047, 1050 (2d Cir. 1995) (sealing may be proper to avoid interference with an ongoing government investigation); cf. *United States v. Smith*, 985 F.Supp.2d 506, 545 (S.D.N.Y. 2013) (the "Government has demonstrated that there is good cause for a protective order because of its compelling interest in ongoing investigations into potentially serious criminal conduct").

Finally, no later than Wednesday, June 10, 2020, at 10:00 a.m., the parties shall jointly submit to the Court (via the email address: HellersteinNYSDChambers@nysd.uscourts.gov) a list of all counsel expected to appear on the record at the telephonic argument.

SO ORDERED.

Dated: May 22, 2020
New York, New York

_____/s/_____
ALVIN K. HELLERSTEIN
United States District Judge